



# City of West University Place

*A Neighborhood City*

## CITY COUNCIL

Susan Sample, Mayor  
Mardi Turner, Mayor Pro Tem  
Bob Higley, Councilmember  
Kellye Burke, Councilmember  
Kevin Boyle, Councilmember

## STAFF

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## City Council Meeting Agenda

**Notice is hereby given of a regular City Council meeting** of West University Place to be held on **Monday, February 25, 2019** beginning at **6:30 p.m.** in the **Municipal Building** located at 3800 University Boulevard, West University Place, Texas, for the purpose of considering the following agenda items

Note: All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

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Call to Order

Matters related to the notice of this meeting

Pledge of Allegiance

### 1. **Public Comments**

This is an opportunity for citizens to speak to Council relating to agenda and non-agenda items. If the topic the speaker wishes to address is on the agenda, the speaker can either speak at this time or defer his/her comments until such time the item is discussed. Speakers are advised that comments cannot be received on matters which are the subject of a public hearing once the hearing has been closed. Public comments must be kept relevant to the subject before the Council. The presiding officer shall rule on the relevance of comments. Persons making irrelevant, personal, impertinent, or slanderous remarks may be barred by the presiding officer from further comment before the Council during the meeting. Speakers are required to register in advance and must limit their presentations to three minutes each.

### 2. **Intent to Reimburse Expenditures**

Matters related to a resolution declaring the City's official intent to reimburse expenditures from proceeds of tax-exempt obligations. *Recommended Action: Approve resolution declaring the City's official intent to reimburse expenditures from proceeds of tax-exempt obligations. Ms. Marie Kalka, Finance Director* [see Agenda Memo 2]

### 3. **FEMA Community Rating System**

Matters related to an ordinance approving the FEMA Community Rating System. *Recommended Action: Approve ordinance on the first of two readings. Ms. Diane White, Interim Public Works Director* [see Agenda Memo 3]

### 4. **Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Meeting Minutes of February 11, 2019. [see Action Minutes]

**5. Virtual Gate Security Program**

Matters related to the security camera system. *Discuss and take any desired action.* **Mr. Ken Walker, Police Chief and Mr. Gary McFarland, IT Director**

**Recess Regular Meeting and Convene into Executive Session**

Matters related to an Executive Session in accordance with Section 551.076 of Chapter 551 of the Texas Government Code: Deliberation regarding security devices. :

**6. Reconvene Regular Meeting**

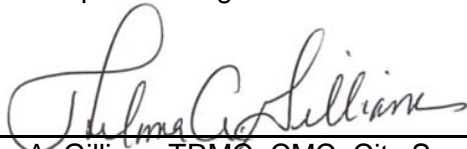
Matters related to any action resulting from Executive Session. *Recommended Action: Discuss and take any desired action.* **City Council**

**7. Adjourn**

**In compliance with the Americans with Disabilities Act, if you plan to attend this public meeting and you have a disability that requires special arrangements, please contact City Secretary Thelma Gilliam at 713.662.5813 at least 24 hours prior to the meeting so that reasonable accommodations can be made to assist in your participation in the meeting. The Council Chambers is wheel chair accessible from the west entrance and specially marked parking spaces are available in the southwest parking area. Special seating will be provided.**

I certify that the attached notice and agenda of items to be considered by the West University Place City Council on February 25, 2019 was posted on the Municipal Building bulletin board on February 21, 2019 at approximately 11:00 o'clock a.m.

(SEAL)

  
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Thelma A. Gilliam, TRMC, CMC, City Secretary

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 25, 2019	<b>AGENDA ITEM:</b>	2
<b>DATE SUBMITTED:</b>	February 8, 2019	<b>DEPARTMENT:</b>	Finance
<b>PREPARED BY:</b>	Marie Kalka, Finance Director	<b>PRESENTER:</b>	Marie Kalka, Finance Director
<b>SUBJECT:</b>	<b>Resolution declaring City's official intent to reimburse expenditures from proceeds of tax-exempt obligations</b>		
<b>ATTACHMENTS:</b>	<b>Resolution to Reimburse Expenditures</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The City purchased the property located at 3807 Rice Blvd. and anticipates going out to bond for capital projects and property acquisition later this year. Internal Revenue Code Title 26, Section 1.150-2 allows the City to reimburse eligible prior capital expenditures of the City from the proceeds of tax-exempt bonds or other obligations provided the City adopts an official intent via resolution.

The resolution has been reviewed and approved as to legal form by the City Attorney.

**RECOMMENDATION**

Staff recommends the City Council adopt the resolution allowing the City to reimburse qualifying capital expenditures incurred prior to bond issuance from tax-exempt bond proceeds or other obligations to be issued by the City.

**RESOLUTION NO. XXXX-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM PROCEEDS OF TAX-EXEMPT OBLIGATIONS**

**WHEREAS**, the City of West University Place, Texas (the "City"), is eligible to issue its bonds, obligations and other evidences of indebtedness pursuant to *Section 103(a)* of the *Internal Revenue Code of 1986* (the "Code"); and

**WHEREAS**, the City is authorized, pursuant to the Code and the regulations promulgated thereunder, specifically *Section 1.150-2*, to reimburse a prior expenditure of the City from the proceeds of bonds or other obligations; and

**WHEREAS**, the City desires to declare its official intent to reimburse a prior expenditure from the proceeds of tax-exempt bonds or other obligations to be issued by the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS THAT:**

**1. Findings.** It is hereby found and declared that the facts recited in the preamble to this Resolution are true and correct in all material respects.

**2. Declaration of Official Intent.** It is hereby officially declared that the City intends to reimburse any and all amounts expended by the City after the date of this Resolution, and up to sixty (60) days before the date of this Resolution, for expenses incurred for the purchase of property located at 3807 Rice Blvd., from the proceeds of tax-exempt bonds, obligations or other evidences of indebtedness which are expected to be issued in connection therewith by the City no later than eighteen months after the later of (a) the date the expenditure is paid, or (b) the date the project is placed into service or abandoned, but in no event more than three years after the original expenditure is paid.

**3. Sources of Funds.**

a. The expenditure of funds for the purpose described above is expected to be made from existing reserves.

b. The reimbursement bonds or obligations are expected to be repaid by a pledge of ad valorem taxes levied on all property within the City.

**4. Amount of Reimbursement.** It is reasonably expected that the amount to be expended for the purposes described above and reimbursed from the proceeds of bonds, obligations or other evidences of indebtedness will not exceed \$680,000.

**PASSED, APPROVED, and ADOPTED** this 25th day of February 2019.

(SEAL)

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Susan Sample, Mayor  
City of West University Place, Texas

**ATTEST:**

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Thelma A. Gilliam, City Secretary  
City of West University Place, Texas

**RECOMMENDED BY:**

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David J. Beach, City Manager

**APPROVED AS TO LEGAL FORM:**

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Alan Petrov, City Attorney

**AGENDA MEMO**  
**BUSINESS OF THE CITY COUNCIL**  
**CITY OF WEST UNIVERSITY PLACE, TEXAS**

<b>AGENDA OF:</b>	February 25, 2019	<b>AGENDA ITEM:</b>	3
<b>DATE SUBMITTED:</b>	February 20, 2019	<b>DEPARTMENT:</b>	Public Works
<b>PREPARED BY:</b>	C. Chew, Chief Bldg. Official	<b>PRESENTER:</b>	D. White, Interim Public Works Dir.
<b>SUBJECT:</b>	<b>FEMA Community Rating System</b>		
<b>ATTACHMENTS:</b>	<b>Proposed changes to the Floodplain Ordinance 1849</b>		
<b>EXPENDITURE REQUIRED:</b>	N/A		
<b>AMOUNT BUDGETED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		
<b>ADDITIONAL APPROPRIATION REQUIRED:</b>	N/A		
<b>ACCOUNT NO.:</b>	N/A		

**EXECUTIVE SUMMARY**

The City is finalizing our application to join the Federal Emergency Management Agency (FEMA) Community Rating System (CRS), which provides discounts to qualifying flood insurance premiums offered through the National Flood Insurance Program (NFIP).

The goal of the CRS program is to (1) reduce and avoid flood damage to insurable property, (2) strengthen and support the insurance aspects for the NFIP, and (3) foster comprehensive floodplain management.

In order to complete the application, the following changes are needed to our Floodplain ordinance:

- Section 18-272 Definitions:
  - Add “Critical Facilities” which defines critical facilities, such as, health & safety facilities.
- Section 18-275 Provisions for Flood Hazard Prevention:
  - Revise Section A-4 to reflect 2-feet above base flood elevation,
  - Add Section A-8 which establish the requirements for compaction for proper fill,
  - Add Section A-9 which prohibits new critical facilities from being built in the 500-year floodplain, and
  - Add Section A-10 which requires all new construction outside of the 100-year floodplain to have the base floor elevation a minimum 2-feet above the crown of the street or highest adjacent grade.
- Misc. Updates to other portions of the code to clearly spell out the building codes as required by the CRS program. No changes to code; just adding clarification.

The application will be submitted no later than the first week of March and the review process can take between five (5) to seven (7) months. Our participation in the CRS program will allow qualified policy holders to receive a discount on their insurance during the October renewal period.

The ordinance has been reviewed by the city attorney and approved as to legal form.

**RECOMMENDATION**

Staff recommends the City Council approve the changes to Floodplain Ordinance 1849 on the first reading of two readings.

West University Place  
Harris County, Texas

**ORDINANCE NO. XXXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS; AMENDING CHAPTER 18, BUILDINGS AND DEVELOPMENT, ARTICLE IX, FLOOD DAMAGE PREVENTION, SECTION 18-272 DEFINITIONS; AND SECTION 18-275, PROVISION FOR FLOOD HAZARD REDUCTION, OF THE CODE OF ORDINANCES OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, BY ADDING LANGUAGE IN COMPLIANCE WITH FEMA REQUIREMENTS.**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST UNIVERSITY PLACE, TEXAS, THAT:**

**Section 1.** Chapter 18, Buildings and Development, Article IX, Flood Damage Prevention, Section 18-272 Definitions; and Section 18-275, Provision for Flood Hazard Reduction, of the Code of Ordinances of the City of West University Place, Texas are amended by the addition of language in compliance with FEMA regulations, to read as set out in Appendix A, attached hereto. All other portions of Section 18-272 and Section 18-275, of the Code of Ordinances not specifically amended hereby remain in full force and effect.

**Section 2.** All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

**Section 3.** If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any other persons or circumstances, shall be affected thereby.

**Section 4.** The City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the Texas Open Meetings Act, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

**Section 5.** This Ordinance takes effect immediately upon its passage and adoption on second reading.

**PASSED, APPROVED AND ADOPTED ON FIRST READING** on the \_\_\_\_ day of \_\_\_\_\_, 2019.

**PASSED, APPROVED AND ADOPTED ON SECOND READING, AND SIGNED**, on the \_\_\_\_ day of \_\_\_\_\_, 2019.

(SEAL)

\_\_\_\_\_  
Susan Sample, Mayor  
City of West University Place, Texas

**ATTEST:**

\_\_\_\_\_  
Thelma A. Gilliam, City Secretary  
City of West University Place, Texas

**RECOMMENDED BY:**

\_\_\_\_\_  
David J. Beach, City Manager

**APPROVED AS TO LEGAL FORM:**

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Alan Petrov, City Attorney



## Appendix A

(Language to be added shown by underline, language to be deleted shown by strike-out).

### ARTICLE IX. - FLOOD DAMAGE PREVENTION

Sec. 18-271. - Statutory authorization, findings of fact, purpose and methods.

- (a) *Statutory authorization.* The Legislature of the State of Texas has in ch. 16, subch. I, Texas Water Code, delegated the responsibility of local governmental units to adopt regulations designed to minimize flood losses. Therefore, the city council of the City of West University Place, Texas ("West University Place"), does ordain as follows:
- (b) *Findings of fact.*
  - (1) The flood hazard areas of West University Place are subject to periodic inundation, which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and relief, all of which adversely affect the public health, safety and general welfare.
  - (2) These flood losses are created by the cumulative effect of obstructions in floodplains which cause an increase in flood heights and velocities, and by the occupancy of flood hazard areas by uses vulnerable to floods and hazardous to other lands because they are inadequately elevated, floodproofed or otherwise protected from flood damage.
- (c) *Statement of purpose.* It is the purpose of this article to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:
  - (1) Protect human life and health;
  - (2) Minimize expenditure of public money for costly flood control projects;
  - (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
  - (4) Minimize prolonged business interruptions;
  - (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
  - (6) Help maintain a stable tax base by providing for the sound use and development of floodprone areas in such a manner as to minimize future flood blight areas; and
  - (7) Insure that potential buyers are notified that property is in a flood area.
- (d) *Methods of reducing flood losses.* In order to accomplish its purposes, this article uses the following methods:
  - (1) Restrict or prohibit uses that are dangerous to health, safety or property in times of flood, or cause excessive increases in flood heights or velocities;
  - (2) Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
  - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which are involved in the accommodation of floodwaters;
  - (4) Control filling, grading, dredging and other development which may increase flood damage;
  - (5) Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

(Ord. No. 1849, § 1(app. A), 7-9-2007)

Sec. 18-272. - Definitions.

Unless specifically defined below, words or phrases used in this article shall be interpreted to give them the meaning they have in common usage and to give this article its most reasonable application.

*Alluvial fan flooding* means flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

*Apex* means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

*Appurtenant structure* means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

*Area of future conditions flood hazard* means the land area that would be inundated by the one-percent-annual chance (100-year) flood based on future conditions hydrology.

*Area of shallow flooding* means a designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

*Area of special flood hazard* means the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. The area may be designated as zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V.

*Base flood* means the flood having a one percent chance of being equaled or exceeded in any given year.

*Base Flood Elevation (BFE)* means elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one percent chance of equaling or exceeding that level in any given year - also called the base flood.

*Basement* means any area of the building having its floor subgrade (below ground level) on all sides.

*Breakaway wall* means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

*Critical facility* means a structure or other improvement that, because of its function, size, service area, or uniqueness, has the potential to cause serious bodily harm, extensive property damage, or disruption of vital socioeconomic activities if it is destroyed or damaged or if its functionality is impaired. Critical facilities include health and safety facilities, utilities, government facilities, and hazardous materials facilities.

*Critical feature* means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

*Development* means any manmade change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

*Elevated building* means, for insurance purposes, a nonbasement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

*Existing construction* means for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

*Existing manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.

*Expansion to an existing manufactured home park or subdivision* means the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

*Flood* or *Flooding* means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

*Flood elevation study* means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

*Flood Insurance Rate Map (FIRM)* means an official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community.

*Flood Insurance Study (FIS)* see Flood Elevation Study

*Floodplain* or *Floodprone area* means any land area susceptible to being inundated by water from any source (see definition of flooding).

*Floodplain management* means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

*Floodplain management regulations* means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

*Flood protection system* means those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood-modifying works are those constructed in conformance with sound engineering standards.

*Floodproofing* means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*Floodway*—see Regulatory Floodway.

*Functionally dependent use* means a use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

*Highest adjacent grade* means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

*Historic structure* means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
  - a. By an approved state program as determined by the Secretary of the Interior; or
  - b. Directly by the Secretary of the Interior in states without approved programs.

*Levee* means a manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

*Levee system* means a flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

*Lowest floor* means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

*Manufactured home* means a structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".

*Manufactured home park or subdivision* means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

*Mean sea level* means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's flood insurance rate map are referenced.

*New construction* means, for the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

*New manufactured home park or subdivision* means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

*Recreational vehicle* means a vehicle which is:

- (1) Built on a single chassis;
- (2) 400 square feet or less when measured at the largest horizontal projections;
- (3) Designed to be self-propelled or permanently towable by a light duty truck; and

- (4) Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

*Regulatory floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

*Riverine* means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

*Special flood hazard area*— see Area of Special Flood Hazard.

*Start of construction* (for other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

*Structure* means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

*Substantial damage* means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

*Substantial improvement* means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- (2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

*Variance* means a grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

*Violation* means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

*Water surface elevation* means the height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

(Ord. No. 1849, § 1(app. A), 7-9-2007)

Sec. 18-273. - General provisions.

- (a) *Lands to which this article applies.* The ordinance shall apply to all areas of special flood hazard with the jurisdiction of West University Place.
- (b) *Basis for establishing the areas of special flood hazard.* The areas of special flood hazard identified by the Federal Emergency Management Agency in the current scientific and engineering report entitled, "The Flood Insurance Study for Harris County, Texas and Incorporated Areas," dated June 18, 2007 (revision date), with the most effective Flood Insurance Rate Maps and/or Flood Boundary-Floodway Maps (FIRM and/or FBFM) dated June 18, 2007 (map revised date).
- (c) *Establishment of development permit.* A floodplain development permit shall be required to ensure conformance with the provisions of this article.
- (d) *Compliance.* No structure or land shall hereafter be located, altered, or have its use changed without full compliance with the terms of this article and other applicable regulations.
- (e) *Abrogation and greater restrictions.* This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this article and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
- (f) *Interpretation.* In the interpretation and application of this article, all provisions shall be;
  - (1) Considered as minimum requirements;
  - (2) Liberally construed in favor of the governing body; and
  - (3) Deemed neither to limit nor repeal any other powers granted under state statutes.
- (g) *Warning and disclaimer or liability.* The degree of flood protection required by this article is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this article or any administrative decision lawfully made hereunder.

(Ord. No. 1849, § 1(app. A), 7-9-2007)

Sec. 18-274. - Administration.

- (a) *Designation of the floodplain administrator.* The building official is hereby appointed the floodplain administrator to administer and implement the provisions of this article and other appropriate sections of 44 CFR (Emergency Management and Assistance—National Flood Insurance Program Regulations) pertaining to floodplain management.
- (b) *Duties and responsibilities of the floodplain administrator.* Duties and responsibilities of the floodplain administrator shall include, but not be limited to, the following:
  - (1) Maintain and hold open for public inspection all records pertaining to the provisions of this article.
  - (2) Review permit application to determine whether to ensure that the proposed building site project, including the placement of manufactured homes, will be reasonably safe from flooding.
  - (3) Review, approve or deny all applications for development permits required by adoption of this article.
  - (4) Review permits for proposed development to assure that all necessary permits have been obtained from those federal, state or local governmental agencies (including Section 404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. 1334) from which prior approval is required.

- (5) Where interpretation is needed as to the exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions) the floodplain administrator shall make the necessary interpretation.
  - (6) Notify, in riverine situations, adjacent communities and the state coordinating agency which is the Texas Commission on Environmental Quality (or its successor as state coordinating agency, e.g., Texas Water Development Board), prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency.
  - (7) Assure that the flood carrying capacity within the altered or relocated portion of any watercourse is maintained.
  - (8) When base flood elevation data has not been provided in accordance with subsection 18-273(b), the floodplain administrator shall obtain, review and reasonably utilize any base flood elevation data and floodway data available from a federal, state or other source, in order to administer the provisions of section 18-275.
  - (9) When a regulatory floodway has not been designated, the floodplain administrator must require that no new construction, substantial improvements, or other development (including fill) shall be permitted within zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
  - (10) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program regulations, a community may approve certain development in zones A1-30, AE, AH, on the community's FIRM which increases the water surface elevation of the base flood by more than one foot, provided that the community first completes all of the provisions required by Section 65.12.
- (c) *Permit procedures.*
- (1) Application for a floodplain development permit shall be presented to the floodplain administrator on forms furnished by him/her and may include, but not be limited to, plans in duplicate drawn to scale showing the location, dimensions, and elevation of proposed landscape alterations, existing and proposed structures, including the placement of manufactured homes, and the location of the foregoing in relation to areas of special flood hazard. Additionally, the following information is required:
    - a. Elevation (in relation to mean sea level), of the lowest floor (including basement) of all new and substantially improved structures;
    - b. Elevation in relation to mean sea level to which any nonresidential structure shall be floodproofed;
    - c. A certificate from a registered professional engineer or architect that the nonresidential floodproofed structure shall meet the floodproofing criteria of subsection 18-275(b)(2);
    - d. Description of the extent to which any watercourse or natural drainage will be altered or relocated as a result of proposed development;
    - e. Maintain a record of all such information in accordance with subsection 18-274(b)(1);
  - (2) Approval or denial of a floodplain development permit by the floodplain administrator shall be based on all of the provisions of this article and the following relevant factors:
    - a. The danger to life and property due to flooding or erosion damage;
    - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
    - c. The danger that materials may be swept onto other lands to the injury of others;

- d. The compatibility of the proposed use with existing and anticipated development;
- e. The safety of access to the property in times of flood for ordinary and emergency vehicles;
- f. The costs of providing governmental services during and after flood conditions including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
- g. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site;
- h. The necessity to the facility of a waterfront location, where applicable;
- i. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use.

(d) *Variance procedures.*

- (1) The appeal board, as established by the community, shall hear and render judgment on requests for variances from the requirements of this article.
- (2) The appeal board shall hear and render judgment on an appeal only when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this article.
- (3) Any person or persons aggrieved by the decision of the appeal board may appeal such decision in the courts of competent jurisdiction.
- (4) The floodplain administrator shall maintain a record of all actions involving an appeal and shall report variances to the Federal Emergency Management Agency upon request.
- (5) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this article.
- (6) Variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the relevant factors in subsection (c)(2) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
- (7) Upon consideration of the factors noted above and the intent of this article, the appeal board may attach such conditions to the granting of variances as it deems necessary to further the purpose and objectives of this article (subsection 18-271(c)).
- (8) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (9) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (10) Prerequisites for granting variances:
  - a. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
  - b. Variances shall only be issued upon:
    - (i) Showing a good and sufficient cause;
    - (ii) A determination that failure to grant the variance would result in exceptional hardship to the applicant; and



- (iii) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- c. Any application to which a variance is granted shall be given written notice that the structure will be permitted to be built with the lowest floor elevation below the base flood elevation, and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
- (11) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that:
  - a. The criteria outlined in subsections 18-274(d)(1)–(9) are met; and
  - b. The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(Ord. No. 1849, § 1(app. A), 7-9-2007)

Sec. 18-275. - Provisions for flood hazard reduction.

(a) *General standards.* In all areas of special flood hazards the following provisions are required for all new construction and substantial improvements:

- (1) All new construction or substantial improvements shall be designed (or modified) and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
- (2) All new construction or substantial improvements shall be constructed by methods and practices that minimize flood damage;
- (3) All new construction or substantial improvements shall be constructed with materials resistant to flood damage;
- (4) All new construction or substantial improvements shall be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and/or located two feet above base flood elevation so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (5) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system;
- (6) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the systems into floodwaters; and,
- (7) On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.
- (8) All new construction or substantial improvements to be constructed on fill located in the 100-year floodplain shall be constructed on properly designed and compacted fill that has appropriate protection from erosion and scour.
- (9) All new critical facilities are prohibited from being constructed in the 500-year floodplain (shaded X zone).
- (10) All new construction outside the special flood hazard area (shaded X zone and unshaded X zone), shall be constructed so that the lowest floor is a minimum of two feet above the crown of the nearest street or the highest grade adjacent to the building.

(b) *Specific standards-(AE zones).* In all areas of special flood hazards where base flood elevation data has been provided as set forth in (i) subsection 18-273(b), (ii) subsection 18-274(b)(8), or (iii) (c)(3), the following provisions are required:

- (1) *Residential construction.* new construction and substantial improvement of any residential structure shall have the lowest floor (including basement), elevated to two feet above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that the standard of this subsection as proposed in subsection 18-274(c)(1)a., is satisfied.
- (2) *Nonresidential construction.* new construction and substantial improvements of any commercial, industrial or other nonresidential structure shall either have the lowest floor (including basement) elevated to two feet above the base flood level or together with attendant utility and sanitary facilities, be designed so that below the base flood level plus two feet the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop and/or review structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction are in accordance with accepted standards of practice as outlined in this subsection. A record of such certification which includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed shall be maintained by the floodplain administrator.
- (3) *Enclosures.* new construction and substantial improvements, with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
  - a. A minimum of two openings on separate walls having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
  - b. The bottom of all openings shall be no higher than one foot above grade.
  - c. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (4) *Manufactured homes.*
  - a. Require that all manufactured homes to be placed within zone A on a community's FHBM or FIRM shall be installed using methods and practices which minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated two feet and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
  - b. Require that manufactured homes that are placed or substantially improved within zones A1-30, AH, and AE on the community's FIRM on sites:
    1. Outside of a manufactured home park or subdivision;
    2. In a new manufactured home park or subdivision;
    3. In an expansion to an existing manufactured home park or subdivision; or
    4. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to two feet above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

- c. Require that manufactured homes be placed or substantially improved on sites in an existing manufactured home park or subdivision with zones A1-30, AH and AE on the community's FIRM that are not subject to the provisions of this subsection (b)(4) be elevated so that either:
  - 1. The lowest floor of the manufactured home is at two feet above the base flood elevation, or
  - 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (5) *Recreational vehicles.* Require that recreational vehicles placed on sites within zones A1-30, AH, and AE on the community's FIRM either:
  - a. Be on the site for fewer than 180 consecutive days;
  - b. Be fully licensed and ready for highway use; or
  - c. Meet the permit requirements of subsection 18-274(c)(1), and the elevation and anchoring requirements for "manufactured homes" in this subsection (b)(4).

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

(c) *Standards for subdivision proposals.*

- (1) All subdivision proposals including the placement of manufactured home parks and subdivisions shall be consistent with subsections 18-271(b), (c), and (d).
- (2) All proposals for the development of subdivisions including the placement of manufactured home parks and subdivisions shall meet floodplain development permit requirements of subsection 18-273(c); subsection 18-274(c); and the provisions of this section.
- (3) Base flood elevation data shall be generated for subdivision proposals and other proposed development including the placement of manufactured home parks and subdivisions which is greater than 50 lots or five acres, whichever is lesser, if not otherwise provided pursuant to subsection 18-273(b) or subsection 18-274(b)(8).
- (4) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have adequate drainage provided to reduce exposure to flood hazards.
- (5) All subdivision proposals including the placement of manufactured home parks and subdivisions shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

(d) *Standards for areas of shallow flooding (AO/AH zones).* Located within the areas of special flood hazard established in subsection 18-273(b), are areas designated as shallow flooding. These areas have special flood hazards associated with flood depths of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

- (1) All new construction and substantial improvements of residential structures have the lowest floor (including basement) elevated to two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified).
- (2) All new construction and substantial improvements of nonresidential structures:

- a. Have the lowest floor (including basement) elevated to two feet above the base flood elevation or the highest adjacent grade at least as high as the depth number specified in feet on the community's FIRM (at least two feet if no depth number is specified), or
  - b. Together with attendant utility and sanitary facilities be designed so that below the base specified flood depth in an AO zone, or below the base flood elevation plus two feet in an AH zone, level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
- (3) A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section, as proposed in subsection 18-274(c), are satisfied.
- (4) Require within zones AH or AO adequate drainage paths around structures on slopes, to guide floodwaters around and away from proposed structures.
- (e) *Floodways*. Located within areas of special flood hazard established in subsection 18-273(b), are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles and erosion potential, the following provisions shall apply:
  - (1) Encroachments are prohibited, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.
  - (2) If subsection (e)(1), above is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section.
  - (3) Under the provisions of 44 CFR Chapter 1, Section 65.12, of the National Flood Insurance Program Regulation, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by Section 65.12.
- (f) *Severability*. If any section, clause, sentence, or phrase of this article is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this article.
- (g) *Penalties for noncompliance*. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this article and other applicable regulations. Violation of the provisions of this article by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a misdemeanor. Any person who violates this court order or fails to comply with any of its requirements shall upon conviction thereof be fined not more than allowed by law or imprisoned for not more than allowed by law, or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent West University Place from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. No. 1849, § 1(app. A), 7-9-2007; Ord. No. 2051, § 1, 5-21-2018 )



# The City of West University Place

*A Neighborhood City*

## CITY COUNCIL

Susan Sample, Mayor  
Mardi Turner, Mayor Pro Tem  
Bob Higley, Councilmember  
Kellye Burke, Councilmember  
Kevin Boyle, Councilmember

## STAFF

David J. Beach, City Manager  
Alan Petrov, City Attorney  
Thelma Gilliam, City Secretary

## CITY COUNCIL ACTION MINUTES MINUTOS DE ACCIÓN DEL CONSEJO DE LA CIUDAD

The City Council of the City of West University Place, Texas, met in a workshop and a regular meeting on **Monday, February 19, 2019**, in the Municipal Building, 3800 University, West University Place.

El Ayuntamiento de la ciudad de West University Place, Texas, se reunió en un taller y una reunión ordinaria el lunes 19 de febrero de 2019, en el edificio municipal, 3800 Universidad, West University Place.

### Regular Meeting Agenda

**Call to Order.** Mayor Sample called the special meeting to order at approximately 6:30 p.m. in the Council Chambers. Council and Staff in attendance were: Mayor Pro Tem Turner, Councilmembers Burke, Higley, and Boyle, City Manager Beach, City Secretary Gilliam, City Attorney Petrov, Police Chief Walker, Finance Director Kalka, and Communications Director Jett

City Secretary Gilliam confirmed that the Notice of the meeting was posted as required by law.

Boy Scout Nicolas Thompson with Troop 55 led the Pledge.

#### 1. Public Comments

This was an opportunity for citizens to speak to Council relating to agenda and non-agenda items.

Alida Drews, 6112 Fordham, spoke on various issues.

Court Koennig, AT&T Representative, spoke to say he was in attendance to answer any questions.

#### 2. Land Use and Zoning Discussion

Matters related to City Council discussion about the current process for zoning and land use issues in the City and recommendation to the Zoning and Planning Commission on modifications to the rules of procedure and ordinances. *Recommended Action: Discuss and take any desired action. Mayor Susan Sample and City Council*

No action taken.

#### 3. Ordinances Calling the May 4, 2019 General and Special Elections

Matters related to ordinances calling for the 2019 General Election and Special Charter Election. *Recommended Action: Approve ordinances calling the General and Special Elections on second and final*

*reading. City Attorney Alan Petrov, Ms. Katherine Brem, Charter Review Committee Chair, and Ms. Thelma Gilliam, City Secretary*

**Ordenanzas convocando las elecciones generales y especiales del 4 de mayo de 2019**

Asuntos relacionados con las ordenanzas que piden la Elección General de 2019 y la Elección de la Carta Especial. *Acción recomendada: aprobar las ordenanzas que convocan las elecciones generales y especiales en segunda y última lectura. El abogado de la ciudad Alan Petrov, la Sra. Katherine Brem, Presidenta del Comité de Revisión de la Carta, y la Sra. Thelma Gilliam, Secretaria de la Ciudad* [véase Memoria del Programa 3]

Councilmember Boyle moved to adopt the ordinance calling the special election for the purpose of submitting proposed Charter amendments, with the exception of Section 7.07 (issuance of bonds and other obligations of the City). Councilmember Higley seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None  
**Absent:** None

El Concejal Boyle se movió para adoptar la ordenanza que llama a la elección especial con el propósito de presentar las enmiendas propuestas a la Carta, con la excepción de la Sección 7.07 (emisión de bonos y otras obligaciones de la Ciudad). El concejal Higley secundó la moción. **MOVIMIENTO APROBADO.**

**Sí:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** Ninguno  
**Ausente:** Ninguno

Councilmember Higley moved to (1) adopt the ordinance calling the General Election and approve contracting with Harris County to conduct the election; (2) take any desired action regarding the Special Election ordinance for May 4, 2019 (which was done in a previous motion) and approve contracting with Harris County to conduct the election; and (3) authorize the City Manager to take any action necessary for Harris County to host the City's May 2019 elections. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None  
**Absent:** None

El Concejal Higley se movió para (1) adoptar la ordenanza que llama a la Elección General y aprobar el contrato con el Condado de Harris para llevar a cabo la elección; (2) tomar cualquier acción deseada con respecto a la ordenanza de Elección Especial para el 4 de mayo de 2019 (que se realizó en una moción anterior) y aprobar la contratación con el Condado de Harris para llevar a cabo la elección; y (3) autorizar al Administrador de la Ciudad a tomar las medidas necesarias para que el Condado de Harris organice las elecciones de mayo de 2019 de la Ciudad. El concejal Burke secundó la moción. **MOVIMIENTO APROBADO.**

**Sí:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** Ninguno  
**Ausente:** Ninguno

**4. Paperless Utility Billing**

Matters related to informational presentation on paperless utility billing. *Recommended Action: No action required.* **Ms. Marie Kalka, Finance Director**

No action taken.

**5. Tree Trust Program Budget Transfer**

Matters related to a budget transfer for the Tree Trust Program. *Recommended Action: Allow for a budget transfer for the Tree Trust Program.* **Ms. Diane White, Interim Public Works Director**

Mayor Pro Tem Turner moved to allocate an additional \$15,000 from the Tree Trust account for the Tree Planting Program. Councilmember Higley seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None  
**Absent:** None

**6. House Bill 789 Resolution**

Matters related to a resolution supporting House Bill 789 relating to the height of billboard signs. *Recommended Action: Discuss and take any desired action.* **Susan Sample, Mayor**

Councilmember Burke moved to approve the resolution supporting House Bill 789. Mayor Pro Tem Turner seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None  
**Absent:** None

**7. Consent Agenda**

All Consent Agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council member requests in which event the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

**A. City Council Minutes**

Approve City Council Meeting Minutes of January 28, 2019.

Councilmember Higley moved to approve the Consent Agenda as presented. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None  
**Absent:** None

**8. Adjourn**

With no other business before the Council, Councilmember Higley moved to adjourn the meeting at 7:45 p.m. Councilmember Burke seconded the motion. **MOTION PASSED.**

**Ayes:** Sample, Turner, Burke, Higley, Boyle  
**Noes:** None

**Absent:** None

Prepared by: Thelma A. Gilliam, TRMC, City Secretary

Council Approved: \_\_\_\_\_

DRAFT